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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,433	07/16/2003	J. Richard Hanna	D-1116R1 CIP	1731
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RALPH E. JOCKE walker & jocke LPA 231 SOUTH BROADWAY MEDINA, OH 44256			EXAMINER GREIMEL, JOCELYN	
			ART UNIT 3693	PAPER NUMBER
			MAIL DATE 08/07/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/621,433	Applicant(s) HANNA ET AL.	
	Examiner Jocelyn Greimel	Art Unit 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to Applicant's Amendments and Remarks filed 22 May 2007.

Status of Claims

2. Claims 1-34 are currently pending. Claim 26 is currently amended. Claims 1 and 26 are independent claims.

Response to Arguments

3. Applicant's arguments regarding: the cited references do not teach:

(1) "depositing a deposit item into a deposit accepting machine, nor receiving depositor input (including deposit item data) via remote communication through an input device"

of claims 1-34 have been considered but found not persuasive.

Issue no. (1): Applicant's argue: Rosen and Tedesco alone or in combination do not teach - depositing a deposit item into a deposit accepting machine, nor receiving depositor input (including deposit item data) via remote communication through an input device - as recited in the claims.

Response: The Examiner is entitled to give the claim limitations their broadest reasonable interpretation in light of the Specification (see below):

Claim Interpretation; Broadest Reasonable Interpretation:

<CLAIMS MUST BE GIVEN THEIR BROADEST
REASONABLE INTERPRETATION

During patent examination, the pending claims must be "given the broadest reasonable interpretation consistent with the specification." Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541, 550-51 (CCPA 1969).>

4. Rosen discloses a method, system and apparatus for depositing a deposit item into a deposit accepting machine, and receiving depositor input (including deposit item data) via remote communication through an input device (abstract; at least col. 4 – col. 7). Rosen teaches: "a monetary system using electronic media to exchange economic value securely and reliably." The reference teaches "electronic money" and conventional paper money, and specifically teaches "a plurality of transaction devices that are used by subscribers for storing electronic money, **for performing money transactions with the on-line systems of the participating banks...**" The "tag" at col. 35, line 60 of Tedesco is not referenced by the Examiner. However,

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directly above paragraph 8 (and flowing into the subsequent paragraphs of the Office Action by reference to the "claims 2-7 and 27-29") of the previous Office Action, the Examiner references col. 5 at line 12. This ***section of Rosen states that the electronic exchanges "may be transmitted with digital signatures to provide security..."*** The Examiner interprets this an identifying "signature" or "tag" or "ID" of the transaction. Tedesco is then utilized to show that it would have been obvious that the tag of Rosen could be modified to be an RFID tag as claimed by Applicant. Conclusion: Under their broadest reasonable interpretation in light of the Specification, the claims as currently written are taught, anticipated by and/or obvious in view of the prior art of record.

If Applicant believes the present invention is different than the interpretation provided by the Examiner, the Applicant is encourage to amend the claims to more clearly and specifically define the scope of the invention. Applicant's claims are rejected as recited in the previous Office Action (which are reprinted below). Applicant's claims remain rejected and the request for allowance is respectfully declined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1 and 26 are rejected under 35 U.S.C. 102(a) as being anticipated by Rosen (US Patent No. 6,122,625). In reference to claims 1 and 26, Rosen discloses a method and apparatus comprising: receiving depositor input via remote communication through at least one input device in operative connection with a deposit accepting machine, wherein the input includes data associated with at least one deposit item (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+); depositing at least on deposit item into the deposit accepting machine (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 2-25 and 27-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen and further in view of Tedesco et al (US Patent No. 6,282,523, hereinafter Tedesco).

In reference to claims 2-7 and 27-29, Rosen discloses the method further comprising: transmitting the input via a signal to the at least one input device (col. 5, line 12+); where the input device comprises a reader device, wherein the reader device is operative to read signals.

Rosen discloses the method comprising: transmitting the input to at least one input device, where the input device comprises a reader device to read a tag, and the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Rosen does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one of ordinary skill in the art at the time

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of the Applicant's invention to modify transmitting the input to the input device via a tag with data, as in Rosen, to include transmitting the input via a radio frequency, as in Tedesco, because Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

In reference to claims 8-13 and 30-32, Rosen discloses the method comprising: depositing using a tag having data into the deposit accepting machine; wherein the deposit item includes at least one tag; wherein the deposit item includes a deposit bag with a tag, a deposit ticket with a tag, at least one check with a tag or a plurality of checks with at least one tag (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+).

Rosen discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Rosen does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because Tedesco discloses using a

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radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

In reference to claims 14-19, Rosen discloses the method where each check tag includes check data associated with at least one check indicia and includes receiving check data (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+); wherein check indicia is at least one of an account number, a check number, an amount, a payee and a payer wherein receiving check data associated with at least one of an account number, a check number, an amount, a payee and a payer (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+); wherein the check data is a value, wherein the value is a function of plural check indicia and includes receiving that value (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+).

Rosen discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Rosen does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because Tedesco discloses using a

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radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

In reference to claims 20-22, Rosen discloses the method wherein the deposit accepting machine comprises: an automated merchant banking apparatus that includes depositing at least one deposit item into the automated merchant banking apparatus; an ATM, wherein the ATM is operative to communicate with a bank host computer and includes depositing at least one item into the ATM; wherein the ATM is operative to dispense currency deposited in and further dispensing deposited currency from the ATM (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+).

Rosen discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Rosen does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

In reference to claim 23, Rosen discloses the method comprising transmitting the input via wireless communication with at least one input device (col. 8, line 8+).

Rosen discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Rosen does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

In reference to claims 24 and 25, Rosen discloses the method further comprising preparing with the deposit accepting machine at least one receipt comprising a tag and the method including outputting from the deposit accepting machine at least one receipt comprising a tag (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+).

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Rosen discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Rosen does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

Conclusion

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jocelyn Greimel whose telephone number is (571) 272-3734. The examiner can normally be reached on Monday - Friday 8:30 AM - 4:30 PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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Jocelyn Greimel
Examiner, Art Unit 3693
August 2, 2007